PATENT 0690-0110P



IN THE U.S. PATENT AND TRADEMARK OFFICE,

Applicant:

Wolfgang M. FRANZ et al. Conf.:

2640

Appl. No.:

09/068,751

Group:

1635

Filed:

November 2, 1998

Examiner: ZARA, J.J.

For:

GENE-THERAPEUTIC NUCLEIC ACID CONSTRUCT,

PRODUCTION OF SAME AND USE OF SAME IN

THE TREATMENT OF HEART DISEASE

SMALL ENTITY TRANSMITTAL FORM

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 28, 2004

Sir:

Transmitted herewith is an amendment in the above-identified application.

	Applicant	claims	small	entity	status	under	37	C.F.R.	8	1	27
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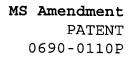
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The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	•	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	100	-	100	=	0	\$ 9	\$0.00
INDEPENDENT	6	-	4		2	\$ 44	\$88.00
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM \$150 \$0.00							
	-					TOTAL	\$88.00

Appl. No. 09/068,751

	Petition for (to 37 C.F.R. §§ 1.17 a of time.) month(s) extension of time pursuant nd 1.136(a). \$0.00 for the extension
	No fee is required.	
\boxtimes	Check(s) in the amount	of \$88.00 is(are) enclosed.
	Please charge Deposit A \$0.00. This form is sub	Account No. 02-2448 in the amount of mitted in triplicate.
overp fees	urrent, and future repli payment to Deposit Acco	ssioner is hereby authorized in this, ies, to charge payment or credit any ount No. 02-2448 for any additional F.R. §§1.16 or 1.17; particularly,
		Respectfully submitted,
		BIRCH, STEWART, KOLASCH & BIRCH, LLP
		By Mark J. Nuell, #36,623
DRN/m 0690-	nua ·0110P	P.O. Box 747 Falls Church, VA 22040-0747 (703) 205-8000
Attac	chment(s)	





IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Wolfgang M. FRANZ et al. Conf.:

Appl. No.: 09/068,751 Group: 1635

Filed: November 2, 1998

For: GENE-THERAPEUTIC NUCLEIC ACID CONSTRUCT,

PRODUCTION OF SAME AND USE OF SAME IN THE

TREATMENT OF HEART DISEASE

REPLY UNDER 37 C.F.R. § 1.111

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

October 28, 2004

Examiner: ZARA, J.J.

Sir:

In reply to the Office Action dated July 29, 2004, the period for response being extended until October 29, 2004 by petition hereinbelow, the following amendments and remarks are respectfully submitted in connection with the above-identified application.

reply includes Amendments the to Specification, Amendments to the Claims, three (3) Replacement sheets of drawings, and Remarks.

10/29/2004 RFEKADU1 00000077 09068751

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